

**REQUEST FOR FIRST-ACTION INTERVIEW (PILOT PROGRAM)**Attorney Docket  
Number: TLK025Application Number  
(if known): 10/532,704

Filing date: May 2, 2006

First Named

Inventor: McCLURKEN, Michael

Title: Fluid-Assisted Electrosurgical Scissors  
and Method**APPLICANT HEREBY REQUESTS A FIRST-ACTION INTERVIEW IN THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.**

1. The application must contain three (3) or fewer independent claims and twenty (20) or fewer total claims.

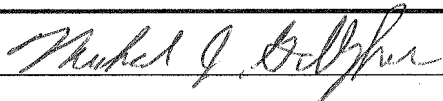
2. The application must not contain any multiple dependent claims.

3. By filing this request:

Applicant is agreeing not to request for a refund of the search fee and any excess claims fee paid in the application after the mailing of the preliminary first action prepared by the examiner.

4. Other attachments: \_\_\_\_\_

Signature



Date November 18, 2009

Name  
(Print/Typed)

Michael J. Gallagher

Registration Number

42,564

**Note:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below\*.\*Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for Request for First-Action Interview (Pilot Program)**  
(Not to be Submitted to the USPTO)

***A grantable request must meet the following conditions:***

1. The application must be a non-reissue utility filed under 35 U.S.C. 111(a) or an international application that has entered the national stage in compliance with 35 U.S.C. 371(c).
2. The application must contain three (3) or fewer independent claims and twenty (20) or fewer total claims. The application may not contain any multiple dependent claims.
3. The request must be filed electronically using the Office's electronic filing system, EFS-Web.
4. The request must be filed before an examination on the merits has been made of the application (prior to the date when a first Office action on the merits, notice of allowability or allowance, or action under Ex parte Quayle, 1935 Dec. Comm'r Pat. 11 (1935) is issued). Applicant may check the status of the application using the Patent Application Information Retrieval (PAIR) system.
5. Applicant must agree not to request for a refund of the search fee and any excess claims fees paid in the application after the mailing of the preliminary first action. Any petition for express abandonment under 37 CFR 1.138(d) to obtain a refund of the search fee and any excess claims fees paid will not be granted and the Office will not refund the search fee and any excess claims fees after the mailing of a preliminary first action.

***For more information, see notice "First-Action Interview Pilot Program" available on the USPTO web site at <http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html>***

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.